

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

Committee of the Whole 7:30 P.M.
Stated Meeting 8:00 P.M.
City Council Chambers

TIME: 8:20PM

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT:

2	MAJORITY LEADER WILSON A. TERRERO
6	MINORITY LEADER JOHN J. LARKIN

COUNCIL MEMBERS:
DISTRICT:

1	CHRISTOPHER A. JOHNSON
3	MICHAEL R. SABATINO
4	DENNIS E. SHEPHERD
5	MICHAEL B. BREEN

Recitation of the Pledge of Allegiance to the Flag followed by a minute of silence to invoke God's guidance and Blessing upon our deliberations.

Minutes of the stated meeting held on October 22, 2013 approved on motion of Majority Leader Wilson Terrero.

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COMMUNICATIONS FROM CITY OFFICIALS

NONE

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COMMUNICATIONS - GENERALLY

NONE

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COMMITTEE OF THE WHOLE

SPEAKERS

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RECEPTION OF PETITION

Petition for a Change of Zone:

Petitioner: James G. Dibbini & Associates, P.C. on behalf of Stagg
Construction, LLC

Property: 705 Bronx River RD and 262 Crescent PI

Zone Change: From BR and MG District
To A District

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GENERAL ORDINANCE NO.8-2013

- 1 BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A GENERAL ORDINANCE GENERALLY AMENDING CHAPTER 13 OF THE YONKERS CITY CODE ENTITLED "CONTRACTING AND PURCHASING" IN REGARD TO A NEW SECTION ENTITLED "APPEALS."

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Chapter 13 of the Code of the City of Yonkers, more commonly known as the "Contracting and Purchasing" is hereby generally amended and revised in part, by adding a Section 13-41 thereto, entitled, "Appeals" to read as follows:

Section 13-41. Appeals.

A. The denial or disqualification of a bidder on the determination of irresponsibility must be made in writing by the purchasing authority by certified mail, return receipt requested, and sent to the bidder.

B. The notified party may appeal the decision of the purchasing authority to the Appeals Panel by filing a written request for review, setting forth the reasons for the appeal, within 10 days after receipt of the notice from the purchasing authority. The appealing party shall be entitled to a hearing by the Appeals Panel only if requested in written request for review.

C. A timely request for appeal shall stay any action of the purchasing authority in awarding the underlying contract until the Appeals Panel has decided the appeal. If a request for appeal is not made within the ten-day period, the action of the purchasing authority is final.

D. Appeals Panel. The hearing shall be conducted by a panel consisting of three members; the Commissioner of Public Works, Commissioner of Finance, and the City Engineer, or their duly authorized designees. The Appeals Panel shall convene within 10 business days of receipt of a written notice by the Bidder of its request for a due process hearing.

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GENERAL ORDINANCE NO.8-2013 (CONTINUED)

E. Hearing. The Appeals Panel shall consider any evidence presented by the Bidder, or its representative, whether or not the evidence is presented in compliance with formal rules of evidence. The Bidder will be given the opportunity to present evidence, information and arguments, and call witnesses if necessary, as to why the Contractor believes it should be deemed a responsible bidder. The Panel may, if necessary, seek its additional evidence, inquire further into the Contractor's business dealings and/or financials, in addition to calling its own witnesses or cross-examine witnesses, in order to reach its determination.

F. Decision. The Panel shall make its decision on the basis of the preponderance of the evidence. The Panel must render a written decision within 2 days after the conclusion of the hearing. The Panel shall affirm, reverse or modify the action of the purchasing authority. The decision of the Panel is final as to the administrative remedies with the City.

Section 2. This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

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SPECIAL ORDINANCE NO.78-2013

2. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT DEVOE AVENUE AND HALL PLACE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 250 linear feet, more or less, and to replace and install new gas underground facilities and related services at Devoe Avenue and Hall Place, Yonkers, N.Y. in accordance with Drawing Number G12-04795-000WCY-R1; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 250 linear feet, more or less, and to replace and install new gas underground facilities and related services at Devoe Avenue and Hall Place, Yonkers, N.Y. in accordance with Drawing Number G12-04795-000WCY-R1.

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SPECIAL ORDINANCE NO.78-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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SPECIAL ORDINANCE NO.79-2013

- 3 BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT FOWLER AVENUE AND MARLBOROUGH ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 265 linear feet, more or less, and to replace and install new gas underground facilities and related services at Fowler Avenue and Marlborough Road, Yonkers, N.Y. in accordance with Drawing Number G12-04797-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 265 linear feet, more or less, and to replace and install new gas underground facilities and related services at Fowler Avenue and Marlborough Road, Yonkers, N.Y. in accordance with Drawing Number G12-04797-000WCY.

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SPECIAL ORDINANCE NO.79-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
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SPECIAL ORDINANCE NO.80-2013

4. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT HURON ROAD AND SENECA ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 725 linear feet, more or less, and to replace and install new gas underground facilities and related services at Huron Road and Seneca Road, Yonkers, N.Y. in accordance with Drawing Number G11-02109-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 725 linear feet, more or less, and to replace and install new gas underground facilities and related services at Huron Road and Seneca Road, Yonkers, N.Y. in accordance with Drawing Number G11-02109-000WCY.

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SPECIAL ORDINANCE NO.80-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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SPECIAL ORDINANCE NO.81-2013

5. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT STOCKBRIDGE ROAD AND SHELBURNE ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 336 linear feet, more or less, and to replace and install new gas underground facilities and related services at Stockbridge Road and Shelburne Road, Yonkers, N.Y. in accordance with Drawing Number G13-05968-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 336 linear feet, more or less, and to replace and install new gas underground facilities and related services at Stockbridge Road and Shelburne Road, Yonkers, N.Y. in accordance with Drawing Number G13-05968-000WCY.

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SPECIAL ORDINANCE NO.81-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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BY A VOTE OF 7-0.

ANNOTATED AGENDA
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SPECIAL ORDINANCE NO.82-2013

6. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT NORMANDY ROAD AND ALBEMARLE PLACE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 160 linear feet, more or less, and to replace and install new gas underground facilities and related services at Normandy Road and Albemarle Place, Yonkers, N.Y. in accordance with Drawing Number G12-05046-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 160 linear feet, more or less, and to replace and install new gas underground facilities and related services at Normandy Road and Albemarle Place, Yonkers, N.Y. in accordance with Drawing Number G12-05046-000WCY.

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SPECIAL ORDINANCE NO.82-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

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SPECIAL ORDINANCE NO.83-2013

7. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT ALTA VISTA DRIVE AND WOODROW DRIVE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 122 linear feet, more or less, and to replace and install new gas underground facilities and related services at Alta Vista Drive and Woodrow Drive, Yonkers, N.Y. in accordance with Drawing Number G12-04497-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 122 linear feet, more or less, and to replace and install new gas underground facilities and related services at Alta Vista Drive and Woodrow Drive, Yonkers, N.Y. in accordance with Drawing Number G12-04497-000WCY.

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SPECIAL ORDINANCE NO.83-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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SPECIAL ORDINANCE NO.84-2013

8. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT CLARK STREET AND ORIENT STREET AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 207 linear feet, more or less, and to replace and install new gas underground facilities and related services at Clark Street and Orient Street, Yonkers, N.Y. in accordance with Drawing Number G12-04427-000WCY-R1; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 207 linear feet, more or less, and to replace and install new gas underground facilities and related services at Clark Street and Orient Street, Yonkers, N.Y. in accordance with Drawing Number G12-04427-000WCY-R1.

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SPECIAL ORDINANCE NO.84-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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SPECIAL ORDINANCE NO.85-2013

9. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT KIMBALL AVENUE AND PARKWAY NORTH AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 302 linear feet, more or less, and to replace and install new gas underground facilities and related services at Kimball Avenue and Parkway North, Yonkers, N.Y. in accordance with Drawing Number G12-02956-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 302 linear feet, more or less, and to replace and install new gas underground facilities and related services at Kimball Avenue and Parkway North, Yonkers, N.Y. in accordance with Drawing Number G12-02956-000WCY.

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SPECIAL ORDINANCE NO.85-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
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SPECIAL ORDINANCE NO.86-2013

10. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT MURRAY AVENUE AND MIDLAND AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 165 linear feet, more or less, and to replace and install new gas underground facilities and related services at Murray Avenue and Midland Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-05039-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 165 linear feet, more or less, and to replace and install new gas underground facilities and related services at Murray Avenue and Midland Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-05039-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.86-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.87-2013

- .11. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT MARQUAND AVENUE AND BLAIR STREET AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 187 linear feet, more or less, and to replace and install new gas underground facilities and related services at Marquand Avenue and Blair Street, Yonkers, N.Y. in accordance with Drawing Number G12-05930-000WCY-R1 ; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 187 linear feet, more or less, and to replace and install new gas underground facilities and related services at Marquand Avenue and Blair Street, Yonkers, N.Y. in accordance with Drawing Number G12-05930-000WCY-R1.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.87-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.88-2013

12. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT ROMNEY PLACE AND GAINSBOROUGH ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 1075 linear feet, more or less, and to replace and install new gas underground facilities and related services at Romney Place and Gainsborough Road, Yonkers, N.Y. in accordance with Drawing Number G12-04796-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 1075 linear feet, more or less, and to replace and install new gas underground facilities and related services at Romney Place and Gainsborough Road, Yonkers, N.Y. in accordance with Drawing Number G12-04796-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.88-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.89-2013

13. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT LEWIS STREET AND LEWIS PLACE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 360 linear feet, more or less, and to replace and install new gas underground facilities and related services at Lewis Street and Lewis Place, Yonkers, N.Y. in accordance with Drawing Number G12-05126-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 360 linear feet, more or less, and to replace and install new gas underground facilities and related services at Lewis Street and Lewis Place, Yonkers, N.Y. in accordance with Drawing Number G12-05126-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.89-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.90-2013

14. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT LAKE AVENUE AND RIDGE AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 510 linear feet, more or less, and to replace and install new gas underground facilities and related services at Lake Avenue and Ridge Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-14941-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 510 linear feet, more or less, and to replace and install new gas underground facilities and related services at Lake Avenue and Ridge Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-14941-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.90-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.91-2013

15. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT MIDLAND AVENUE AND SLOCUM AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 303 linear feet, more or less, and to replace and install new gas underground facilities and related services at Midland Avenue and Slocum Avenue, Yonkers, N.Y. in accordance with Drawing Number G13-13234-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 303 linear feet, more or less, and to replace and install new gas underground facilities and related services at Midland Avenue and Slocum Avenue, Yonkers, N.Y. in accordance with Drawing Number G13-13234-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.91-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.92-2013

16. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT CEDAR LANE AND PONDFIELD ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 110 linear feet, more or less, and to replace and install new gas underground facilities and related services at Cedar Lane and Pondfield Road, Yonkers, N.Y. in accordance with Drawing Number G13-13361-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 110 linear feet, more or less, and to replace and install new gas underground facilities and related services at Cedar Lane and Pondfield Road, Yonkers, N.Y. in accordance with Drawing Number G13-13361-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.92-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.93-2013

17. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT 14 HAMPSHIRE ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 100 linear feet, more or less, and to replace and install new gas underground facilities and related services at 14 Hampshire Road, Yonkers, N.Y. in accordance with Drawing Number S13-75344-000WCY ; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 100 linear feet, more or less, and to replace and install new gas underground facilities and related services at 14 Hampshire Road, Yonkers, N.Y. in accordance with Drawing Number S13-75344-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.93-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.94-2013

18. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT VREDENBURGH AVENUE AND PAULA AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 240 linear feet, more or less, and to replace and install new gas underground facilities and related services at Vredenburg Avenue and Paula Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-05186-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 240 linear feet, more or less, and to replace and install new gas underground facilities and related services at Vredenburg Avenue and Paula Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-05186-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.94-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.95-2013

19. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT MANSION AVENUE AND FREY AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 320 linear feet, more or less, and to replace and install new gas underground facilities and related services at Mansion Avenue and Frey Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-04892-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 320 linear feet, more or less, and to replace and install new gas underground facilities and related services at Mansion Avenue and Frey Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-04892-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.95-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.96-2013

20. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT FOX AVENUE AND KIMBALL AVENUE AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 410 linear feet, more or less, and to replace and install new gas underground facilities and related services at Fox Avenue and Kimball Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-06178-000WCY; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 410 linear feet, more or less, and to replace and install new gas underground facilities and related services at Fox Avenue and Kimball Avenue, Yonkers, N.Y. in accordance with Drawing Number G12-06178-000WCY.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.96-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.97-2013

21. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE GRANTING TO CON EDISON A PERMIT TO INSTALL A NEW GAS MAIN AND RELATED SERVICES AT WYNDCLIFF ROAD AND FALMOUTH ROAD AS THE ESTIMATED DIMENSIONS ARE IN EXCESS OF 100 LINEAR FEET SUBJECT TO CERTAIN TERMS AND CONDITIONS.

WHEREAS, Consolidated Edison, in a communication forwarded to the City Engineer has made application pursuant to an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 237 linear feet, more or less, and to replace and install new gas underground facilities and related services at Wyndcliff Road and Falmouth Road, Yonkers, N.Y. in accordance with Drawing Number G12-05062-000WCY-R1 ; and

WHEREAS, the work being done by said company is the replacement of existing lines and it is therefore a Type II action under the New York State Environmental Quality Review Act; and

WHEREAS, the said company will be required, prior to the commencement of the work, to insure the restoration of said streets in the same condition as said streets were in prior to said excavation and indemnifying and saving harmless the City of Yonkers against loss or losses, damages, action, or proceedings arising out of said excavation;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Permission is hereby given to Consolidated Edison, in accordance with the terms of an ordinance adopted by the Board of Aldermen of the City of Yonkers on May 31, 1892, to excavate in excess of 100 linear feet and no more than 237 linear feet, more or less, and to replace and install new gas underground facilities and related services at Wyndcliff Road and Falmouth Road, Yonkers, N.Y. in accordance with Drawing Number G12-05062-000WCY-R1.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.97-2013 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.98-2013

22. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING AN ENCROACHMENT
IN THE RIGHT-OF-WAY AT 28 JACKSON STREET
SUBJECT TO CERTAIN TERMS AND CONDITIONS.

The City of Yonkers, in City Council convened, hereby ordained and enacts:

Section 1. Permission is hereby granted to St Joseph's Medical Center, as owner of 28 Jackson Street, Yonkers, New York, (submitted as 44 Vark Street) being designated as Section 1, Block 0188, Lot 5, on the Official City of Yonkers Tax Map (the "Property"), to construct and maintain an encroachment upon the City right-of-way located on Jackson Street in accordance with and as shown on a survey to be approved by the City Engineer and the Director of the Bureau of Housing and Buildings.

Section 2. This permission is granted subject to the following terms and conditions, to wit:

- (a) That the entire cost and expense of obtaining and thereafter maintaining the encroachment on Jackson Street shall be paid by the owners, its successors and/or assigns without expense to or contribution by the City of Yonkers, for as long as this encroachment shall remain in force. The encroachment will consist of a proposed concrete retaining wall with handrail for handicap/medical access located along the northerly property line of 28 Jackson Street, 13.7' in length, protruding 5.8' over the north property line, and 1.7' in height, starting 6.5' west of the east property line. These height guidelines do not include the hand rail dimensions. The removal of an adjacent raised concrete planter encroachment is also one of the terms and conditions.
- (b) That neither the approval of the above-referred survey by the appropriate City official, nor the placement of any improvements by the owner of 28 Jackson Street upon said encroachment shall be deemed a waiver, or in any way affect the right, of the City of Yonkers to provide for construction or otherwise improve its right-of-way; provided further that the City of Yonkers reserves the right to assess the property benefited in like manner and in like effect as if approval had not been given by the City of Yonkers. That the granting of this permission shall in no way free or

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SPECIAL ORDINANCE NO.98-2013 (CONTINUED)

release said owner or any successors or assigns from the payment of any assessment hereafter imposed;

(c) That no permanent improvements will be allowed in the encroachment area;

(d) That the owner, its successors and/or assigns, shall secure all necessary permits and consents and shall secure and maintain a property damage and public liability insurance policy naming the City of Yonkers as insured, or as an additional named insured in the amount and form satisfactory to the City Engineer and the Corporation Counsel of the City of Yonkers and provide the City with evidence thereof within thirty (30) days of approval of this encroachment;

(e) The City of Yonkers reserves the right to revoke or terminate this permission for whatever reason, upon thirty (30) days written notice to the Owner, whenever it may deem such revocation necessary; upon Revocation or termination of this permission, the owner, successors or assigns shall immediately remove any improvement placed within said encroachment at the express direction of the City, and at the owners cost And expense;

(f) That the owner, its successors and/or assigns shall, for whatever period this permission remains in effect, save harmless and indemnify the City of Yonkers for any and all claims, actions, suits, judgments, etc., including all costs related to the defense thereof;

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

SPECIAL ORDINANCE NO.99-2013

23. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT DEEDS IN LIEU OF FORECLOSURE FOR BLOCK 2151 LOT 34 (312 WARBURTON AVENUE), AND BLOCK 2114, LOT 41 (75 RAVINE AVE.), FROM THE CENTER FOR URBAN REHABILITATION AND EMPOWERMENT, INC. ("C.U.R.E.") AND TO ENTER INTO A SETTLEMENT AGREEMENT WITH C.U.R.E. CONFIRMING THE ACCEPTANCE OF SAID DEEDS AND REMOVING BLOCK 2116, LOT 28 (309 WARBURTON AVE.) AND BLOCK 2116, LOT 18 (254 WOODWORTH AVE) FROM THE CITY'S TAX LIEN AND/OR IN REM FORECLOSURE LIST (COPY OF THE AGREEMENT IS ATTACHED HERETO AND MADE A PART HEREOF).

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1: The Mayor is hereby authorized to accept deeds in lieu of foreclosure from the owner/taxpayer known as the Center for Urban Rehabilitation and Empowerment, Inc. ("C.U.R.E") to recover title to the following properties which are eligible for tax lien and or In Rem foreclosure due to non-payment of real property taxes: Block 2151, Lot 34 (312 Warburton Ave.), and Block 2114, Lot 41 (75 Ravine Ave.).

Section 2. The Mayor, is hereby further authorized to enter into a settlement agreement with the Center for Urban Rehabilitation and Empowerment, Inc. (C.U.R.E.) removing Lot 18 in Block 2116 (254 Woodworth Ave.) and Lot 28 in Block 2116 (309 Warburton Ave) from the City's Tax Lien and/or In Rem Foreclosure list, confirming the transfer and acceptance of deeds in lieu of foreclosure identified at Section 1 herein, and resolving pending litigation between the parties, as said agreement is in the best interest of the City of Yonkers. (Copy of the agreement is attached hereto and made a part hereof).

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
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RESOLUTION NO.148-2013

24. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

WHEREAS, the City of Yonkers ("City") has commenced foreclosure proceedings against property owners who are delinquent in the payment of real property taxes; and

WHEREAS, the City has commenced one such action titled City of Yonkers v. Lashay's Construction & Development Co., Inc., ("property owner") bearing Index Number 50092/2013 affecting property located at 63 Ravine Ave, as further identified as Section 2, Block 2114, lot 45, being 6,497 square feet in size (the "subject property"); and

WHEREAS, after commencement of this action, the property owner has requested the opportunity to provide a Deed in Lieu of Foreclosure to the City to settle the pending litigation; and

WHEREAS, in view of the property owner's request, the parties have been engaged in discussions to settle this matter; and

WHEREAS, it is in the best interest of the City of Yonkers to settle this matter, and to accept a Deed in Lieu of Foreclosure to the above-referred property.

NOW, THEREFORE BE IT RESOLVED, that the Corporation Counsel is hereby authorized to settle this matter by the acceptance of a Deed in Lieu of Foreclosure to the subject property from the property owner; and be it

FURTHER RESOLVED, that the Corporation Counsel, be and the same is hereby authorized to remove the subject property from the In Rem foreclosure list, to execute a Settlement Agreement, a Stipulation of Discontinuance and any other document on behalf of the City of Yonkers necessary to conclude this matter; and be it

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RESOLUTION NO.148-2013 (CONTINUED)

FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013 BY A VOTE OF 7-0.

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CITY COUNCIL OF THE CITY OF YONKERS
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RESOLUTION NO.149-2013

25. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YONKERS
APPOINTING VINCENT E. SPANO AS CITY CLERK TO COMMENCE
ON NOVEMBER 13, 2013

WHEREAS, Vincent E. Spano has held the positions of Second Deputy City Clerk and First Deputy City Clerk, and during these times he has showed exemplary skills in fulfilling the obligations of these positions; and

WHEREAS, Vincent E. Spano is the current Acting City Clerk of the City of Yonkers; and

WHEREAS, during his period of employment in the Clerk's office, Vincent E. Spano, has had the opportunity to work closely with the City Council; and

WHEREAS, pursuant to Yonkers City Charter Section C4-4.1, the City Council possesses the authority to appoint the City Clerk; and

WHEREAS, pursuant to Yonkers City Charter Section C4-4.1 B, the City Clerk and Deputy City Clerks each shall be a member of a different political party; and

WHEREAS, Vincent E. Spano is a registered member of the Conservative Party; and

WHEREAS, there are no other members of the Conservative Party serving as First or Second Deputy Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby appoints Vincent E. Spano as City Clerk for a term of five (5) years; and

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RESOLUTION NO.149-2013 (CONTINUED)

BE IT FURTHER RESOLVED, that this Resolution shall take effect
as of November 13, 2013.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013 BY A
ROLL CALL VOTE OF 5-2. MINORITY LEADER LARKIN AND
COUNCILMEMBER SHEPHERD VOTING "NAY."

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, NOVEMBER 12, 2013

RESOLUTION

26 BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS JOHNSON,
AND SABATINO,

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YONKERS
APPOINTING WILLIAM STALLINGS AS FIRST DEPUTY CITY CLERK
TO COMMENCE ON NOVEMBER 1, 2013

WHEREAS, William Stallings had been employed by the
Westchester County Department of Social Services for thirty four years;
and

WHEREAS, during this period of employment, William Stallings had
demonstrated exceptional skill and dedication in working for the County;
and

WHEREAS, the City Council finds that William Stallings would be
an excellent candidate to serve as the First Deputy City Clerk; and

WHEREAS, pursuant to Yonkers City Charter Section C4-4.1, the
City Council possesses the authority to appoint a First Deputy City Clerk
to serve at its pleasure; and

WHEREAS, pursuant to Yonkers City Charter Section C4-4.1 B, the
City Clerk and Deputy City Clerks each shall be a member of a different
political party; and

WHEREAS, William Stallings is a registered member of the
Democratic Party and there are no members of the Democratic Party
serving as City Clerk or as Second Deputy Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the City Council
hereby appoints William Stallings to the position of First Deputy City Clerk;
and

BE IT FURTHER RESOLVED, that this Resolution shall take effect
as of November 1, 2013.

THIS RESOLUTION WAS DEFEATED BY THE CITY COUNCIL AT A
STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013 BY A
ROLL CALL VOTE OF 4-3." COUNCIL PRESIDENT LESNICK,
COUNCILMEMBERS SABATINO AND JOHNSON VOTING "YEA."

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
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RESOLUTION NO.150-2013

27. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO, SHEPHERD AND BREEN:

BE IT RESOLVED, that the following applicant(s) are hereby appointed and/or reappointed to the office of Commissioner of Deeds for a period of two years to expire on November 30, 2015

Arlene Bonante
37 Carlton Avenue
Yonkers, New York

Admin Assistant/Bookkeeper

RENEWAL

Virginian M. Galatioto
7 Truesdale Place
Yonkers, New York

Secretary/Assistant

RENEWAL

Vincent A. Massaro
21 Hillbright Terrace
Yonkers, NY 10703

Engineer

RENEWAL

Mary Flower
19 Raymond Place
Yonkers, NY

Paralegal

RENEWAL

Kisha Skipper
40 South Broadway
Yonkers N.Y. 10701

COY

RENEWAL

ANNOTATED AGENDA
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RESOLUTION NO.150-2013 (CONTINUED)

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
STATED MEETING HELD ON TUESDAY, NOVEMBER 12, 2013 BY A
VOTE OF 7-0.

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COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 8:30PM